

ONE CENT VERDICT FOR A GOLF CLUB IS NOT ENOUGH

Appellate Division Says Player
is Entitled to Pay for
His Expenses.

NEW TRIAL OF THE CASE.

Cleek Lott in Express Office
Could Drive a Ball
225 Yards.

The Justices of the Appellate Term of the Supreme Court, Justice Gay, presiding, have reversed a verdict of a jury in the North Municipal Court, District, that awarded a verdict of one cent to Henry W. Jessup and against the United States Express Company, for its failure to promptly deliver a golf club, which was delivered to the defendant's agent at Montrose, Pa., to be forwarded to a shop in New York for repairs.

Mr. Jessup is an expert golf player, and on July 15, 1911, he broke his "Tom Morris" club, a club which had been shaped to suit his particular idiosyncrasies as a golf player, in the use of which club he had gained great proficiency, according to the complaint.

He is known that it was no ordinary club. Hoot mon! Mr. Jessup had planned that club with a nice eye, d'ye mind? He had brought it to a fine state of perfection by a wee bit of neat work here and a wee bit there. He could drive 225 yards with it and make the second as well as the drive. It was some club!

But the express company failed to deliver the club and Mr. Jessup could not get it back again. He sued in the City Court for the club itself and \$5 damages. He got a verdict for one cent. Then he appealed.

Justice Gray and Mr. Justice Lehman, who are sitting on the Appellate Term, declared that Mr. Jessup is entitled to recover money actually spent in trying to find the club. But Justice Lehman holds that even this should not be allowed, and that one lone cent is all that the golfer is entitled to—aside from the return of his beloved club, in which opinion all the Justices concur.

Justice Gray says in his opinion:

"The trial Judge, learned in all things but golf, has evidently misapprehended this case and treated it in a spirit of levity not at all warranted by the facts. The evidence shows an utter failure on the part of the defendant to exercise reasonable care in insuring prompt delivery to the consignee, though it had full knowledge of the necessity for prompt delivery."

"The judgment in favor of the plaintiff for one cent and costs was not in accord with the evidence and did not properly or adequately represent plaintiff's damage. He is entitled to recover money necessarily expended by him in searching for the property wrongfully detained. The judgment must therefore be reversed and a new trial ordered."

Justice Lehman does not concur in the opinion but writes a dissenting opinion and says:

"Though like the trial Judge, I am not learned in golf, my acquaintance with golf players leaves no doubt in my mind but that the failure to deliver to the plaintiff a golf club to which he was attached substantially deprived him of the enjoyment of his vacation. It is therefore in no spirit of levity but rather in a spirit of sympathy that I have reached the conclusion that while the award of one cent damages can in no degree compensate him for the loss of pleasure, it is not in any legal sense inadequate. The law gives to the plaintiff no balm for his outraged feelings, but merely attempts to reimburse him for the value of the use of the club during the entire time when he was wrongfully deprived of its use."

Now Every Little Hat Brim Has a Movement All Its Own, They Say



But It Must Move Just Right
or Your Headpiece Will
Be Passe.

It is a season of what might be called vivacious millinery. Styles are distinctly French, with piquancy and plenty of dash; and there are very few of the picture hats drooping under a weight of roses, so beloved by Englishwomen. Undoubtedly the new shapes are severe and some of the brims are extreme and exaggerated, but it is this very exaggeration that gives the dash and the chic.

A pretty face is pretty under any hat, and the more bizarre and unusual the headgear the more piquant the pretty face becomes. Perhaps it is for this reason that no matter how freakish a season's millinery may be, one is sure to hear sooner or later that "the

hats are unusually attractive this year." As for the plain woman, if she is wise she revels in a season of freakish and exaggerated millinery; for though love-liness may be hopelessly beyond one's grasp, one may at least look agreeably chic and interesting, and the plain woman is often piquant and interesting in a severe hat, when a picture style would only make her plainness more pathetically patent.

AGRETTES ARE NOW INDISPENSABLE IN PARIS STYLES.

Of all the severe styles of a severe season, the quicorne is the sternest and most severe. The dainty little tricorne is a veritable picture type in comparison with it; and even the bicorne, with its sharp points over the ears and its flat back and front brim, gives a softer effect than the uncompromising quicorne, with its four corners and square sides. But the quicorne is indubitably chic and is the craze in Paris, where it is trimmed with an infinitesimal ornament of pleated ribbon scarcely larger than your thumbnail, mounted on the northwest side—that is

Just to the right of the corner that points over the nose or with a brush agrette that stands up stiffly above one ear.

Curiously enough, just when the well meant ensembles of the Audubon Society are beginning to induce women in America to forewear the adorable agrette, and when in a few cities their sale is absolutely prohibited by law, the agrette becomes in Paris the one indispensable trimming. Never were these feathery trimmings so popular and never were such delectable brush and paradise agrettes to be had. Prices are almost prohibitive—to the woman who must purchase economically; but the agrettes are so beautiful the temptation to use them is almost irresistible, no matter how sternly one's conscience vetoes the impulse.

One of the hats pictured is a French tricorne from Vincennes, trimmed with a towering white brush ornament of ostrich quills, almost as feathery as the prohibited white heron agrette. Across the base of the head, and in the center of the forehead, is a puffing of velvet. Blashed brims are a craze and sometimes the edges being finished with a puffing or blinding; and some sort of upstanding trimming is usually visible in the slashed opening.

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EVERY LITTLE HAT BRIM HAS A "MOVEMENT" ALL ITS OWN

It is the unusual hat, this season, whose brim does not rise skyward in one sort of roll or another. No two brims seem to be alike and it is this "movement" of the hat brim—as the French milliners say—that gives the character and meaning to the hat. One's chapeau may be stately, dashing, pert, or business-like, according to the movement of its brim, and vice versa. The woman who buys a shape haphazard and trims it, or wears it on her head, in a manner that is at war with the meaning indicated by its brim movement.

The upward trend of hat-brims has brought in under-brim trimmings and for the first time in several seasons bows, flowers, and even wings are placed beneath the hat-brim. A dainty bridge hat, accompanying a bridge suit of changeable taffeta, shows the ex-

pression of this new fashion, for all the trimming on this hat is massed on the under side of the brim. This hat is made of French blue straw and the flowers used to make the brim facing—for one might call it that—are small dark purple violets, pale pink roses and arbutus.

In contrast to the very high crowns brought out early in the season, some of the midsummer hats have low, round crowns and the trimmings slant off in unexpected directions at the side or back, instead of resting aloft.

Thus does the wheel of fashion whirl about these days with disconcerting rapidity and the only thing that seems to hold its own in the kaleidoscope of styles is the faithful narrow skirt, which refuses to be displaced.

Many of the Paris hats for spring wear at the races have had short, curly ostrich tips at the side caught in a slash of the brim so that the ends of the tips curled over and touched the hair. These hats are very jaunty and picturesque and give a chic suggestion to a simple afternoon costume. Other models have agrettes or ornaments in stiff brush suggestion, pointing out at right angles to the crown, and some of these stiff, sharp ornaments are as much of a menace as the long decorative hatpin in crowded vehicles or trains.

Nothing could be more severe, one is certain, than the new riding derby; yet this severe hat is immensely chic with the trim riding habit of white hair-striped serge, worn with a white stock, black gloves and black leather puttees over patent leather buttoned boots. The derby is of fine white milan straw covered over crown and upper brim with black satin. The hat is tipped back the least bit in the jaunty fashion affected by smart young chaps about town, and the white milan underbrim makes a becoming background for the face. This riding derby, one notes, fits down over the hair and ears in the manner of all women's headgear now and this adjustment gives it a feminine suggestion for all its severe lines.

The adjustable hat protector is intended for automobile wear and should prove invaluable in case of a sudden shower. It is made of soft rubberized silk with a shir-string along one side and is so fashioned that it may be adjusted over any hat, or worn over the hair, without a hat beneath.

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